

UNITED STATES DISTRICT COURT FOR

Soc.

THE SOUTHERN DISTRICT OF TEXAS

APR 13 2020

HOUSTON DIVISION

Kathleen M. Bradley, Clerk of Court

Dwight Russell, et al.

v.

CIVIL ACTION NO. H-19-226

Harris County, et al.

(4:2019-CV-00226)

INTERVENOR TASON CALLICOTT'S EMERGENCY MOTION FOR COURT ORDERED

BAIL HEARING IN CAUSES 1598938 AND 1606724 IN THE 174<sup>TH</sup> JUDICIAL

DISTRICT COURT OF HARRIS COUNTY TEXAS DUE TO COVID-19 PANDEMIC

INTERVENOR FILES THIS MOTION FOR COURT ORDERED BAIL HEARING IN CAUSES 1598938

AND 1606724 IN THE 174<sup>TH</sup> JUDICIAL DISTRICT COURT OF HARRIS COUNTY TEXAS

TO ENSURE THAT HIS RIGHTS UNDER THE FIFTH, EIGHTH, AND FOURTEENTH AMENDMENTS TO THE UNITED STATES CONSTITUTION, ARTICLE I SECTIONS 11, 13, AND 19 OF THE TEXAS CONSTITUTION AND ARTICLES 1.04, 1.09, AND 17.15 OF THE TEXAS CODE OF CRIMINAL PROCEDURE WILL NOT BE VIOLATED AND WOULD SHOW THE FOLLOWING:

I. INTERVENOR IS CHARGED BY INDICTMENT FOR THE FELONY OFFENSES OF CREDIT CARD ABUSE AND SECOND DEGREE ROBBERY, NEITHER OF WHICH ALLEGE THE USE OR POSSESSION OF A WEAPON OR SERIOUS BODILY INJURY.

II. INTERVENOR'S BONDS ARE SET AT \$5,000.00 AND \$65,000.00 FOR CREDIT CARD ABUSE AND ROBBERY, RESPECTIVELY. INTERVENOR IS INDIGENT AND CAN NOT AFFORD BAIL.

III. INTERVENOR IS PRO SE IN THOSE CAUSES.

IV. INTERVENOR IS AT A HIGH RISK FOR CONTRACTING A SEVERE FORM OF COVID-19 DUE TO HIS COMPROMISED IMMUNE SYSTEM AS A RESULT OF HAVING HEPATITIS C, HIGH BLOOD PRESSURE AND SEIZURES. THESE CONDITIONS ARE DOCUMENTED BY HARRIS HEALTH SYSTEM AND HARRIS COUNTY SHERIFF'S OFFICE.

V. THERE ARE, TO DATE, THREE REPORTED CASES OF COVID-19 IN THE INMATE POPULATION AT HARRIS COUNTY JAIL AND SIX REPORTED CASES IN THE EMPLOYEE POPULATION.

VI. CONDITIONS OF CONFINEMENT AND SPREAD OF CORONAVIRUS

a. CONDITIONS OF PRETRIAL CONFINEMENT CREATE AN IDEAL ENVIRONMENT FOR THE TRANSMISSION OF A CONTAGIOUS DISEASE.

JOSEPH A. BICK (2007) CLINICAL INFECTIOUS DISEASES 45(8): 1047-1055

at <https://doi.org/10.1086/52910>

SEE UNITED STATES V. BARKMAN, 2020 U.S. DIST LEXIS 45628

UNITED STATES V. WITTER, 2020 U.S. DIST LEXIS 53189

UNITED STATES V. HARRIS, 2020 US DIST LEXIS 53632

UNITED STATES V. ROMAN, 2020 US DIST LEXIS 53956

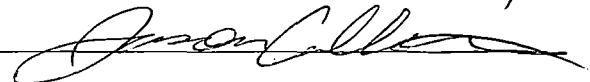
b. SPECIFIC CONDITIONS OF THE HARRIS COUNTY JAIL include small dormitories with BEDS CLOSE TO EACH OTHER WHICH PREVENTS INMATES FROM PRACTICING SOCIAL DISTANCING - THERE ARE ALREADY CONFIRMED CASES IN THE INMATE AND EMPLOYEE POPULATION OF THE JAIL. IT IS ONLY A MATTER OF TIME BEFORE IT SPREADS LIKE WILDFIRE. THE DISEASE CAN KILL THE INTERVENOR AND NOTHING IS BEING DONE TO PREVENT THAT FROM HAPPENING.

VII. INTERVENOR HAS FILED SEVERAL EMERGENCY MOTIONS CONCERNING BAIL in regard TO COVID-19 AND HIS UNDERLYING medical conditions. NONE HAVE BEEN HEARD OF EVEN ENTERED ON TO THE RECORD IN THE TRIAL COURT EVEN THOUGH INTERVENOR IS THE ONLY DEFENSE COUNSEL IN HIS CASES.

VIII. PRAY FOR EMERGENCY RELIEF

INTERVENOR RESPECTFULLY PRAYS THAT THIS COURT ORDER AN emergency bail hearing IN HIS CASES AND UPON SUCH HEARING ORDER THE TRIAL JUDGE TO GRANT INTERVENOR A bail he can afford to make SO THAT HE MAY TAKE proactive preventative measures in order to SAVE his life.

Respectfully Submitted,



INTERVENOR PRO SE

JASON COLLICOTT # 01401470

1200 BAKER ST.

HOUSTON, TEXAS

77002

CERTIFICATE OF SERVICE

I, JASON CALLICOTTE SPN #01401470 hereby certify that a true and correct copy of the foregoing motion to intervene and pleading-in-intervention, motion for appointment of counsel, ~~and~~ ~~emergency~~ motion for court ordered bail hearing was served via first class US mail on counsel for all parties at:

(PLAINTIFFS)

ELIZABETH ANN ROSSI

1601 CONNECTICUT AVE NW # 800

WASHINGTON D.C.

20009

(DEFENDANT) HARRIS COUNTY

HARRIS COUNTY ATTY OFFICE

MOLISSA LYNN SPINKS

1019 CONGRESS AVE. (15<sup>TH</sup> FLOOR)

HOUSTON, TEXAS 77002

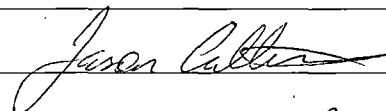
(DEFENDANT) ED GONZALES

HARRIS COUNTY ATTY OFFICE

VICTORIA LYNN JIMENEZ

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